

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

UNITED STATES OF AMERICA,

Case No. 23-cr-200 (PJS/DJF)

Plaintiff,

v.

**PRELIMINARY ORDER OF
FORFEITURE**

DANIEL MICHAEL CASTILLO,

Defendant.

Based on the United States' Motion for a Preliminary Order of Forfeiture; on the Plea Agreement entered into between the United States and Defendant Daniel Michael Castillo; on the Declaration of Special Agent Ian Diem; on the Court having found that certain property is subject to forfeiture pursuant to 21 U.S.C. § 853(a); and on the Court's determination that, based on the Plea Agreement entered into by the Defendant and on all of the files and records of this proceeding, the United States has established the requisite nexus between such property and the offense to which the Defendant have pled guilty:

IT IS HEREBY ORDERED that:

1. The United States' Motion for a Preliminary Order of Forfeiture (ECF No. 43) is **GRANTED**;
2. The following items are forfeited to the United States pursuant to 21 U.S.C. § 853(a)(1) and (2):
 - a. Polymer 80, 9mm handgun, with no serial number,
 - b. 9mm magazine with 14 rounds from Polymer 80,
 - c. Five (5) 9mm rounds,
 - d. Kimber 1911, .22 caliber pistol, bearing the serial number RH28331A,

- e. .22 caliber magazine with 9+ rounds from Kimber pistol,
- f. Miscellaneous ammunition,
- g. 12-gauge shotgun shells,
- h. Brigade Man 9mm AR pistol, bearing the serial number 1966F; and
- i. 9mm drum magazine,

(collectively, “the Property”);

3. The Attorney General or his authorized designee may seize and maintain custody and control of the Property pending the entry of a Final Order of Forfeiture;

4. The United States shall, pursuant to 21 U.S.C. § 853(n)(1), publish and give notice of this Order and its intent to dispose of the Property in such manner as the Attorney General may direct;

5. Pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) and (B), this Preliminary Order of Forfeiture shall become final as to the defendant at the time of sentencing, and shall be made a part of the sentence and included in the judgment;

6. Following the Court’s disposition of all petitions filed pursuant to 21 U.S.C. § 853(n)(2) or, if no petitions are filed, following the expiration of the time period specified within which to file such petitions, the United States shall have clear title to the Property and may warrant good title to any subsequent purchaser or transferee; and;

7. This Court shall retain jurisdiction to enforce this Order, and to amend it as necessary pursuant to Fed. R. Crim. P. 32.2(e).

Dated: 12/5/23

s/Patrick J. Schiltz

PATRICK J. SCHILTZ, Chief Judge
United States District Court